

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:11-cv-00945-BJR**

ELECTRONIC PRIVACY INFORMATION CENTER v.
UNITED STATES DEPARTMENT OF HOMELAND
SECURITY

Assigned to: Judge Barbara Jacobs Rothstein
Cause: 05:552 Freedom of Information Act

Date Filed: 05/20/2011
Date Terminated: 09/14/2012
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

**ELECTRONIC PRIVACY
INFORMATION CENTER**

represented by **Ginger P. McCall**
ELECTRONIC PRIVACY
INFORMATION CENTER
1718 Connecticut Avenue, NW
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(202) 483-1140
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

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TERMINATED: 03/28/2012
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V.

Defendant

**UNITED STATES DEPARTMENT OF
HOMELAND SECURITY**

represented by **Javier M. Guzman**
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Date Filed	#	Docket Text
05/20/2011	<u>1</u>	COMPLAINT against UNITED STATES DEPARTMENT OF HOMELAND SECURITY (Filing fee \$ 350, receipt number 4616038999) filed by ELECTRONIC PRIVACY INFORMATION CENTER. (Attachments: # <u>1</u> Civil Cover Sheet)(jf,) (Entered: 05/23/2011)
05/20/2011		SUMMONS (3) Issued as to UNITED STATES DEPARTMENT OF HOMELAND SECURITY, U.S. Attorney and U.S. Attorney General (jf,) (Entered: 05/23/2011)
05/20/2011	<u>2</u>	LCvR 7.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests NONE by ELECTRONIC PRIVACY INFORMATION CENTER (jf,) (Entered: 05/23/2011)
06/17/2011	<u>3</u>	NOTICE of Appearance by Javier M. Guzman on behalf of UNITED STATES DEPARTMENT OF HOMELAND SECURITY (Guzman, Javier) (Entered: 06/17/2011)
06/24/2011	<u>4</u>	ANSWER to <u>1</u> Complaint by UNITED STATES DEPARTMENT OF HOMELAND SECURITY.(Guzman, Javier) (Entered: 06/24/2011)
06/27/2011	<u>5</u>	ORDER that defendant shall file a dispositive motion, or in the alternative, a report setting forth the schedule according to which it will complete its production of documents to plaintiff on or before July 25, 2011. Signed by Judge Amy Berman Jackson on 6/27/2011. (MT) (Entered: 06/27/2011)
06/27/2011		Set/Reset Deadlines: Defendant's Dispositive Motion or, Report setting forth the schedule according to which it will complete its production of documents to plaintiff, is due by 7/25/2011. (jth) (Entered: 06/27/2011)
07/12/2011	<u>6</u>	Unopposed MOTION for Extension of Time to File <i>and for Entry of Briefing Schedule</i> by UNITED STATES DEPARTMENT OF HOMELAND SECURITY (Attachments: # <u>1</u> Text of Proposed Order)(Guzman, Javier) (Entered: 07/12/2011)
07/18/2011	<u>7</u>	ORDER granting <u>6</u> Unopposed Motion for Extension of Time to File and for Entry of Briefing Schedule. SEE ORDER FOR COMPLETE DETAILS. Signed by Judge Amy Berman Jackson on 7/18/2011. (MT) (Entered: 07/18/2011)
07/20/2011		Set/Reset Deadlines: Summary Judgment motions due by 8/8/2011; Opposition and Cross motions are due by 9/8/2011. Reply to Motion for Summary Judgment and Opposition to Cross Motions due by 9/22/2011. Reply to Cross Motions due by 10/6/2011. (jth) (Entered: 07/20/2011)
08/05/2011	<u>8</u>	Unopposed MOTION for Extension of Time to <i>File Motion for Summary Judgment</i> by UNITED STATES DEPARTMENT OF HOMELAND SECURITY (Attachments: # <u>1</u> Text of Proposed Order)(Guzman, Javier) (Entered: 08/05/2011)
08/08/2011		MINUTE ORDER granting <u>8</u> Unopposed Motion for Extension of Time. The motion for summary judgment will be due 8/22/2011 with opposition to motion for summary judgment and cross-motion for summary judgment due on 9/22/11, with reply to motion for summary judgment and opposition to cross-motion for summary judgment due on 10/6/2011 and reply to cross-motion for summary judgment due on 10/20/2011. Signed by Judge Amy Berman Jackson on 8/8/2011. (MT) (Entered: 08/08/2011)
08/08/2011		Set/Reset Deadlines: Summary Judgment motion due by 8/22/2011; Opposition and Cross Motion due by 9/22/2011; Reply to Motion for Summary Judgment and the Opposition to Cross Motion due by 10/6/2011; Reply to the Cross Motion due by 10/20/2011. (jth) (Entered: 08/08/2011)
08/22/2011	<u>9</u>	MOTION for Summary Judgment by UNITED STATES DEPARTMENT OF HOMELAND SECURITY (Attachments: # <u>1</u> Exhibit BAA 05-03, # <u>2</u> Exhibit Declaration of Rebecca Medina, # <u>3</u> Exhibit Amendment to BAA 05-03, # <u>4</u> Exhibit Declaration of Peter Modica, # <u>5</u> Text of Proposed Order)(Guzman, Javier) (Entered: 08/22/2011)

09/22/2011	<u>10</u>	Cross MOTION for Summary Judgment <i>Combined Cross–Motion/Opposition</i> by ELECTRONIC PRIVACY INFORMATION CENTER (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Statement of Facts, # <u>3</u> Statement of Genuine Issues in Opposition to Defendants Statement of Material Facts, # <u>4</u> Text of Proposed Order, # <u>5</u> Exhibit Exhibit #1, # <u>6</u> Exhibit Exhibit #2, # <u>7</u> Exhibit Exhibit #3, # <u>8</u> Exhibit Exhibit #4, # <u>9</u> Exhibit Exhibit #5, # <u>10</u> Exhibit Exhibit #6, # <u>11</u> Exhibit Exhibit #7)(Verdi, John) (Entered: 09/22/2011)
09/22/2011	<u>11</u>	Memorandum in opposition to re <u>9</u> MOTION for Summary Judgment <i>Combined Cross–Motion/Opposition</i> filed by ELECTRONIC PRIVACY INFORMATION CENTER. (Attachments: # <u>1</u> Statement of Facts, # <u>2</u> Statement of Genuine Issues in Opposition to Defendants Statement of Material Facts, # <u>3</u> Text of Proposed Order, # <u>4</u> Exhibit Exhibit #1, # <u>5</u> Exhibit Exhibit #2, # <u>6</u> Exhibit Exhibit #3, # <u>7</u> Exhibit Exhibit #4, # <u>8</u> Exhibit Exhibit #5, # <u>9</u> Exhibit Exhibit #6, # <u>10</u> Exhibit Exhibit #7)(Verdi, John) (Entered: 09/22/2011)
10/05/2011	<u>12</u>	Unopposed MOTION for Extension of Time to File Response/Reply by UNITED STATES DEPARTMENT OF HOMELAND SECURITY (Attachments: # <u>1</u> Text of Proposed Order)(Guzman, Javier) (Entered: 10/05/2011)
10/06/2011		MINUTE ORDER granting <u>12</u> Unopposed Motion for Extension of Time to File Reply re <u>9</u> MOTION for Summary Judgment and Opposition re <u>10</u> Cross MOTION for Summary Judgment. The reply and opposition will be due by 10/7/2011. The reply to the cross–motion for summary judgment will be due by 10/21/2011. Signed by Judge Amy Berman Jackson on 10/6/11. (MT) (Entered: 10/06/2011)
10/06/2011		Set/Reset Deadlines: Reply to the Motion for Summary Judgment and Opposition to the Cross Motion is due by 10/7/2011. Reply to the Cross Motion is due by 10/21/2011. (jth) (Entered: 10/06/2011)
10/07/2011	<u>13</u>	REPLY to opposition to motion re <u>9</u> MOTION for Summary Judgment filed by UNITED STATES DEPARTMENT OF HOMELAND SECURITY. (Attachments: # <u>1</u> Statement of Facts Response to Plaintiff's Statement of Material Facts Not in Genuine Dispute, # <u>2</u> Exhibit Exhibits 1 through 3)(Guzman, Javier) (Entered: 10/07/2011)
10/07/2011	<u>14</u>	Memorandum in opposition to re <u>10</u> Cross MOTION for Summary Judgment <i>Combined Cross–Motion/Opposition</i> filed by UNITED STATES DEPARTMENT OF HOMELAND SECURITY. (Attachments: # <u>1</u> Statement of Facts Response to Plaintiff's Statement of Material Facts Not in Genuine Dispute, # <u>2</u> Exhibit Exhibits 1 through 3)(Guzman, Javier) (Entered: 10/07/2011)
10/20/2011	<u>15</u>	REPLY to opposition to motion re <u>10</u> Cross MOTION for Summary Judgment <i>Combined Cross–Motion/Opposition</i> filed by ELECTRONIC PRIVACY INFORMATION CENTER. (McCall, Ginger) (Entered: 10/20/2011)
01/26/2012	<u>16</u>	Case reassigned to Judge Barbara Jacobs Rothstein by consent. Judge Amy Berman Jackson no longer assigned to the case. (ds) (Entered: 01/26/2012)
03/28/2012	<u>17</u>	NOTICE of Appearance by Marc Rotenberg on behalf of ELECTRONIC PRIVACY INFORMATION CENTER (Rotenberg, Marc) (Entered: 03/28/2012)
03/28/2012	<u>18</u>	NOTICE OF WITHDRAWAL OF APPEARANCE as to ELECTRONIC PRIVACY INFORMATION CENTER. Attorney John Arthur Verdi terminated. (Verdi, John) (Entered: 03/28/2012)
05/11/2012	<u>19</u>	MEMORANDUM ORDER requiring that DHS produce an adequate segregability analysis by May 31, 2012. Signed by Judge Barbara Jacobs Rothstein on 5/11/12.(lcbjr2) (Entered: 05/11/2012)
05/11/2012		Set/Reset Deadlines: DHS to produce an adequate segregability analysis by 5/31/2012. (tg,) (Entered: 05/11/2012)
05/31/2012	<u>20</u>	NOTICE of Filing Segregability Analysis by UNITED STATES DEPARTMENT OF HOMELAND SECURITY re <u>19</u> Order (Attachments: # <u>1</u> Declaration)(Guzman, Javier) (Entered: 05/31/2012)

06/06/2012	<u>21</u>	NOTICE of Additional Record by UNITED STATES DEPARTMENT OF HOMELAND SECURITY (Guzman, Javier) (Entered: 06/06/2012)
07/19/2012		MINUTE ORDER ordering defendant to inform the court of the status of the responsive document described in <u>21</u> its June 6, 2012 notice to the Court. Defendant shall file such notice no later than July 25th, 2012. Signed by Judge Barbara Jacobs Rothstein on July 19, 2012. (lchhk2) (Entered: 07/19/2012)
07/23/2012		Set/Reset Deadline: Defendant's Notice due by 7/25/2012. (tth) (Entered: 07/23/2012)
07/24/2012	<u>22</u>	STATUS REPORT by UNITED STATES DEPARTMENT OF HOMELAND SECURITY. (Attachments: # <u>1</u> Exhibit Second Supplemental Declaration of Rebecca Medina)(Guzman, Javier) (Entered: 07/24/2012)
07/25/2012		MINUTE ORDER directing defendant to revise and resubmit the Vaughn Index in accordance with its July 24, 2012 Status Report. Furthermore, to the extent plaintiff objects to defendant's arguments in support of the exemption claimed in the same status report, the Court orders plaintiff to file a response no later than August 1, 2012. Signed by Judge Barbara Jacobs Rothstein on July 25, 2012. (lchhk2) (Entered: 07/25/2012)
07/25/2012	<u>23</u>	NOTICE of Filing by UNITED STATES DEPARTMENT OF HOMELAND SECURITY (Attachments: # <u>1</u> Exhibit (supplemental Vaughn index))(Guzman, Javier) (Entered: 07/25/2012)
07/27/2012		Set/Reset Deadline: Response due by 8/1/2012. (tth) (Entered: 07/27/2012)
09/14/2012	<u>24</u>	MEMORANDUM OPINION granting <u>9</u> Defendant's Motion for Summary Judgment, denying <u>10</u> Plaintiff's Motion for Summary Judgment and granting Plaintiff's Motion for Attorney's Fees and Costs. Signed by Judge Barbara Jacobs Rothstein on September 14, 2012. (lchhk2) (Entered: 09/14/2012)
09/14/2012	<u>25</u>	ORDER granting <u>9</u> Defendant's Motion for Summary Judgment, Denying <u>10</u> Plaintiff's Motion for Summary Judgment, and granting Plaintiff's Motion for Attorney's Fees and Costs. Signed by Judge Barbara Jacobs Rothstein on September 14, 2012. (lchhk2) (Entered: 09/14/2012)